

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEBRASKA

IN THE MATTER OF:

CASE NO. BK 04-8489  
CHAPTER 11

**Furnas County Farms,**

Debtor.

Adversary No. \_\_\_\_\_

Hubbard Feeds Inc.,

**AFFIDAVIT OF VINCENT L. BAACK**

STATE OF MINNESOTA )  
 ) ss.  
COUNTY OF BLUE EARTH)

The undersigned, Vincent L. Baack, after having been first sworn under oath, does hereby state and allege the following to be true and accurate to the best of his/her personal knowledge and information:

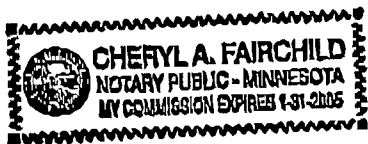
1. I am of lawful age and am personally acquainted with the facts stated herein.
2. I am the Director of Financial Services for Hubbard Feeds Inc. ("Hubbard").
3. Debtor owes Hubbard approximately \$156,576.09 as a result of livestock feed and nutrition products sold by Hubbard and delivered to Debtor at its various facilities. This amount represents feed delivered since Monday, April 26, 2004.
4. Hubbard sold the feed to the Debtor in the ordinary course of its business.
5. The Debtor received the feed while insolvent.
6. On April 29, 2004, Hubbard demanded return of the feed within ten (10) days after the Debtor received the feed.

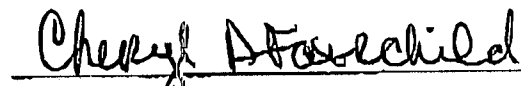
7. Hubbard hereby demands return of all feed in the Debtor's possession as of the date of the reclamation demand.
8. Hubbard will be irreparably harmed since the feed is being consumed by the Debtor's livestock and will be clearly, irretrievably lost.
9. If the requested relief is not granted, Hubbard will be irreparably harmed as the feed supply will continue to be depleted and Hubbard will lose any rights to reclaim the feed.
10. Based upon information and belief, there are insufficient unencumbered funds available to satisfy any type of an administrative claim afforded Hubbard.
11. Hubbard believes that most or all of its feed that was delivered since Monday, April 26, 2004, was in the possession of the Debtor on April 29, 2004, the date of the reclamation demand.

FURTHER AFFIANT SAYETH NAUGHT.

  
Vincent L. Baack

Subscribed and sworn to before me, a notary public in and for said County and State,  
this 29 day of May, 2004.



  
Notary Public